

**United States District Court****for the****Eastern District of Washington****Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Johnny Andres Asuncion

Case Number: 0980 2:07CR02064-EFS-1

Address of Offender: [REDACTED]

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, Senior U.S. District Judge

Date of Original Sentence: November 9, 2007

Original Offense: Distribution of a Controlled Substance - Methamphetamine, 21 U.S.C. § 841(a)(1)

Original Sentence: Prison - 92 months;  
TSR - 48 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Shawn N. Anderson

Date Supervision Commenced: February 14, 2014

Defense Attorney:

Date Supervision Expires: February 13, 2018

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**PETITIONING THE COURT****To issue a warrant.**

The probation officer believes the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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**Standard Condition #3:** The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

**Supporting Evidence:** Johnny Asuncion failed to report to the U.S. Probation Office as directed on September 1, and 3, 2015.

On August 25, 2015, the offender was directed to report to the U.S. Probation Office on September 1, 2015, for the purpose of completing his monthly supervision report form and attending the Sobriety Treatment and Education (STEP) court session. On September 1, 2015, Mr. Asuncion failed to report as directed. Several attempts were made by the undersigned officer to contact the offender but all were met with negative results.

On September 2, 2015, a home visit was conducted but there was no answer at the door. A business card was left on the door jamb with instructions for him to report to the U.S. Probation Office on September 3, 2015, by 8:00 a.m., otherwise court action would be requested. Mr. Asuncion failed to report on September 3, 2015, as directed and his current whereabouts are unknown.

Prob12C

**Re: Asuncion, Johnny Andres**

**September 3, 2015**

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- 2        **Special Condition #15:** Defendant shall undergo a substance abuse evaluation and, if indicated, enter into and successfully complete an approved substance abuse treatment program, including aftercare. You shall contribute to the cost of treatment according to your ability to pay. You shall allow full reciprocal disclosure between the supervising probation officer and treatment provider.

**Supporting Evidence:** Johnny Asuncion failed to attend his intensive outpatient treatment group sessions at Merit Resource Services (Merit) on September 1, and 2, 2015.

On September 2, 2015, contact with the offender's treatment counselor revealed he failed to show for his scheduled group counseling sessions on September 1, and 2, 2015.

- 3        **Special Condition #16:** Defendant shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

**Supporting Evidence:** Johnny Asuncion failed to submit a urinalysis test at Merit on September 1, 2015.

On September 2, 2015, the undersigned office received a notice from Merit stating the offender failed to show for his random urinalysis test on September 1, 2015.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the offender to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on:    September 3, 2015

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s/Jose Vargas

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Jose Vargas  
U.S. Probation Officer

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THE COURT ORDERS

- ☐ No Action  
☒ The Issuance of a Warrant  
☐ The Issuance of a Summons  
☐ Other



\_\_\_\_\_  
Signature of Judicial Officer

September 3, 2015

\_\_\_\_\_  
Date